

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JAMES E. SHELTON, individually and on
behalf of all others similarly situated,

Plaintiff,
v.

DOT Compliance Services, LLC

and

Christian Perales
Defendants.

Case No.
2:24-CV-02140-WB

JURY TRIAL DEMANDED

**MOTION TO WITHDRAW AS COUNSEL
AND FILE AMENDED INDIVIDUAL COMPLAINT**

COMES NOW Plaintiff James E. Shelton, by and through the undersigned counsel, and hereby respectfully requests that the Court permit the undersigned counsel to withdraw his appearance on this case and permit Plaintiff James E. Shelton to continue prosecution of this action as Plaintiff *pro se*. Current counsel has discussed this putative withdrawal with his client, the proposed Plaintiff *pro se*, and the Plaintiff *pro se* consents to the withdrawal, as outlined herein as Exhibit A.

This action was initially filed as a putative class action. However, it is well-established that a party proceeding *pro se* may not prosecute class action claims unless he is also an attorney. *Awala v. New Jersey Dept. of Corrections*, 227 Fed. Appx. 133, 134 (3d Cir. 2007). Accordingly, Plaintiff also desires to file the Complaint attached herein as Exhibit B as the operative Complaint in this matter. Although this would be the Plaintiff's second amendment, the Defendants in this Action have not appeared, pled, or otherwise defended the action. As such, and because the Plaintiff is not able to proceed *pro se* with the complaint in its current form, which is pled as a class action, amendment is appropriate under Rule 15(a)(2).

RESPECTFULLY SUBMITTED AND DATED this January 6, 2025.

/s/ Andrew Roman Perrong
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CERTIFICATE OF SERVICE

I certify that I filed the foregoing via ECF on the below date.

Dated: January 6, 2025

/s/ Andrew Roman Perrong
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